

## **CHAPTER 24**

### **PLANNING AND DEVELOPMENT**

#### **ARTICLE II. PLANNING BOARD**

##### **Sec. 24-31. Established.**

There is established a planning board.

##### **Sec. 24-32. Membership; terms of office; ex-officio members; compensation.**

The planning board shall consist of nine members. The Board of Commissioners shall appoint members from a list of qualified applicants who have submitted an advisory board application. Members shall be residents of the Town and/or reside within the extra-territorial planning jurisdiction. A minimum of five members shall reside in the corporate limits and a minimum of one member shall reside in the extra-territorial planning jurisdiction (ETJ). The Town resident members shall be appointed by the Wake Forest Board of Commissioners and the ETJ resident members shall be appointed by the Wake County Board of Commissioners after a recommendation of the Wake Forest Board of Commissioners. ETJ representation is subject to N.C.G.S. 160A-362, as amended.

Town members shall serve three-year terms and ETJ members shall serve two-year terms. No member shall serve more than two full consecutive terms. Once a member has served two full consecutive terms, the member must be off the planning board for a minimum of one year being eligible to serve again. If any member shall fail to attend three consecutive meetings or more than half of the meetings in one calendar year without just cause, then they shall be replaced by the appropriate governing body. Any vacancy that occurs during a term shall be filled for the unexpired term by the appropriate governing body. An unexpired term or a term of less than three years for town resident members or two years for ETJ resident members shall not count towards the term limit provision.

Notwithstanding any provision of this section, all members shall serve at the pleasure of the Board of Commissioners. The Board of Commissioners shall appoint one elected official as an ex-officio member. The Town Manager shall appoint one member of the Town staff as an ex-officio member. Members shall receive no compensation for their services.

##### **Sec. 24-33. Organization; meetings; quorum; votes.**

(a) The planning board shall meet for the purpose of organization as soon as reasonably possible after January 1 of each year. The planning board shall elect its own officers who shall include a chairman and vice-chairman. The role of secretary shall be filled by the Town staff member appointed as ex-officio. The members shall propose bylaws for the transaction of business subject to the approval of such bylaws by the Board of Commissioners. A copy of the bylaws shall be filed with the Town Clerk and shall constitute a public record.

(b) The planning board is a public body and shall meet on a regular basis but not less than monthly. A special meeting may be called by the chairman, vice-chairman or three members of the planning board. All meetings shall be held in accordance with G.S. 143-318.9 et seq. Minutes shall be kept by the secretary and filed with the Town Clerk.

(c) A quorum shall consist of a majority of the members currently appointed. No proxies shall be allowed. All members of the planning board shall vote on the matters presented before them. Only in the case of personal conflict or conflict of interest shall a member be formally excused from voting on an issue. All votes for or against an issue shall be recorded and be made part of a public record. In case of a tie, the motion effectively dies, and new motions may be submitted for a vote. Failure to act on an issue within sixty-five (65) days after the public hearing shall be considered a positive recommendation by the planning board.

#### **Sec. 24-34. Duties.**

The duties of the planning board, in general, are as authorized in N.C.G.S. 160A-361 and as follows:

(a) To acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions;

(b) To prepare and, from time to time, amend and revise a comprehensive and coordinated plan for the physical development of the area;

(c) To establish principles and policies for guiding action in the development of the area;

(d) To prepare and recommend to the Board of Commissioners ordinances promoting orderly development along the lines indicated in the comprehensive plan;

(e) To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area;

(f) To keep the Board of Commissioners and the general public informed and advised as to these matters;

(g) To perform any other duties which may be lawfully assigned to it.

#### **Sec. 24-35. Authority.**

(a) Zoning Ordinance

The planning board is hereby designated as the zoning commission for the Town of Wake Forest and its environs. It shall prepare and submit to the Board of

Commissioners for its consideration and adoption, a zoning ordinance, for the control of the height, area, bulk, location, and use of buildings and premises in the

area, in accordance with the provisions of Article 14 of Chapter 160 of the North Carolina General Statutes of 1943, as amended. Such proposed zoning ordinance, when adopted by the Board of Commissioners, will supplant the zoning ordinance and amendments now in effect. The planning board may initiate, from time to time, proposals for amendment of the zoning ordinance based upon its studies and the comprehensive plan. In addition, it shall review and make recommendations to the Board of Commissioners concerning all proposed amendments to the zoning ordinance.

(b) Subdivision Regulations

The planning board shall review, from time to time, the existing regulations for the control of land subdivision in the area and submit to the Board of Commissioners its recommendations, if any, for the revision of said regulations.

The planning board shall review and make recommendations to the Board of Commissioners concerning all proposed plans of land subdivision.

**Sec. 24-36. Reports.**

The planning board shall cause an annual report to be prepared and presented to the Board of Commissioners by October 1. The report shall include accomplishments of the past fiscal year and goals for the next fiscal year. Form and content of the report shall be determined by the planning board, subject to the right of the Board of Commissioners to require additional information. Special reports and recommendations may be made to the Board of Commissioners as the need arises in the judgement of the planning board or at the specific request of the Board of Commissioners.